

### **REMARKS**

The applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed April 11, 2006. Claims 1-23 were rejected.

Claims 1-23 were originally presented. Claims 1-23 are rejected.

#### **Claim Rejections - 35 U.S.C. § 103**

The rejection of claims 1-23 under 35 U.S.C. § 103 as being unpatentable over Cha et al. (5,702,717) in view of EP 0092918 (Churchill) is withdrawn in view of the amendments of 9/2/05.

The rejection of claims 1-23 under 35 U.S.C. § 103 as being unpatentable over Cha et al. (5,702,717) in view of Shah et al. (6,451,346) is withdrawn in view of the amendments of 9/2/05.

#### **Double Patenting**

The rejection of claims 1-17 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims of US Patent Application No. 09/827100 (now US Patent No. 6,998,137) in view of Shah et al (6,451,346) is withdrawn in view of the amendments of 9/2/05.

Claims 1-8 and 18-19 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of copending Application No. 10/186462 (hereafter referred as “462”).

Claims 1-8 and 18-19 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of copending Application No. 10/167768 (hereafter referred as “768”).

Claims 1-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of copending Application No. 10/734740 (hereafter referred as “740”) in view of Shah.

It is respectfully submitted that the present application and the copending applications cited in of the above provisional rejection are commonly owned by the Applicant. Therefore, when one of the two copending patent applications is issued, a terminal disclaimer will be filed for the other patent application.

Claims 1-17 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of U.S. Patent No. 6,592,899 in view of Shah.

Claims 1-17 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,201,072; 6,117,949; 6,004,573 (hereafter referred as “’072”; “’949”; and “’573”) in view of Shah.

Attached please find copies of the terminal disclaim for each respective patents cited in the above judicially created doctrine of obviousness-type double patenting rejections.

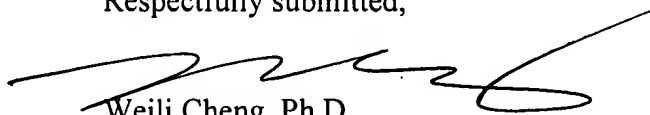
### CONCLUSION

In light of the above, the Applicant respectfully submits that pending claims 1-23 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call the undersigned at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 28<sup>th</sup> day of June, 2006.

Respectfully submitted,



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